

Notice of Allowability

Application No.

10/062,302

Examiner

Gregory J. Strimbu

Applicant(s)

ANNES ET AL.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 11/15/04 and the tele. int. of 11/22/04.
2. ☒ The allowed claim(s) is/are 1-28,36 and 37.
3. ☒ The drawings filed on 01 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/22/04.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul J. Nykaza on November 22, 2004.

The application has been amended as follows:

In the abstract:

line 1, deleted "is provided"

In the claims:

claim 1,

line 7, inserted --thereof-- following "distal end"

line 13, inserted --said-- following "surface for"

claim 14,

line 2, changed "between" to --with--

line 3, changed "with" to --of--

line 4, changed "openings" to --opening--

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claim 15,

line 2, changed "its" to --said--

claim 16,

line 13, inserted --said-- following "portion for"

claim 17,

line 7, inserted --second-- following "through the"

line 8, inserted --the other-- following "surface with"

claim 18,

line 1, inserted --at least one of-- following "wherein"

line 2, changed "surface" to --surfaces--

claim 19,

line 1, inserted --at least one of-- following "wherein"

line 2, changed "surface" to --surfaces--

claim 26,

line 2, deleted "the cam being . . . between" and inserted --being adapted for cooperation-- following "the flat"

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claim 27,

line 7, deleted "a tip at" and inserted --having a tip-- following "end"

line 8, deleted "at each distal end"

line 10, changed "side opening" to --one of said side openings--

changed line 13 to --the central opening for biasing the convex braking surfaces
into frictional engagement with--

line 14, changed "respective" to --the--

claim 28,

line 15, inserted --one of the-- following "biasing the" and inserted --said--
following "through"

changed line 16 to --side opening wherein the one of the braking surfaces is
adapted to fictionally engage a respective one of the opposed--

claim 36,

line 15, inserted --said-- following "surface for"

claim 37,

line 12, inserted --said-- following "surface for"

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a brake assembly having a brake member comprising a spring having a tip at a distal end thereof, the spring further having a curved braking surface adjacent the tip, the brake member mounting within the slider body such that the curved braking surface is adapted for reciprocal lateral movement through the side opening. See lines 7-10 of claim 1. The prior art of record also fails to teach a brake assembly having a brake member comprising a spring having an end portion having a first segment and a second segment, the first segment curving inwardly and the second segment curving outwardly and having a curved braking surface thereon, the brake member mounted within the slider body such that the end portion is adapted for reciprocal lateral movement through the side opening. See lines 7-10 of claim 16. Additionally, the prior art of record fails to teach a brake assembly having a brake member comprising a spring having a pair of distal ends, each distal end having a tip and a convex braking surface adjacent the tip, the brake member mounted within the slider body such that each convex braking surface is adapted for reciprocal lateral movement through a respective one of the side openings. See lines 7-10 of claim 27. Next, the prior art of record fails to teach a brake assembly having a brake member comprising a spring having a base portion and an end portion, the end portion having a first segment curving inwardly and a second segment curving outwardly and having a convex outer surface, the end portion further

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having a braking surface located on the convex outer surface of the second segment with the braking surface having a plurality of serrations thereon extending from the second segment, the brake member mounted within the slider body such that the braking surface is adapted for reciprocal lateral movement through the side opening. See lines 6-12 of claim 36. Finally, the prior art of record fails to teach a brake assembly having a brake member comprising a spring having a curvilinear surface including a convex braking surface, the brake member mounted within the slider body such that the convex braking surface is adapted for reciprocal lateral movement through the side opening. See lines 7-9 of claim 37.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimou", is written over the printed name.

Gregory J. Strimou
Primary Examiner
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November 22, 2004